

Lori V. Berke (#015628)  
Jody C. Corbett (#019718)  
**BERKE LAW FIRM, PLLC**  
1601 N. 7<sup>th</sup> Street, Suite 360  
Phoenix, Arizona 85006  
Phone: (602) 254-8800  
Facsimile: (602) 254-8808  
[lori@berkelawfirm.com](mailto:lori@berkelawfirm.com)  
[jody@berkelawfirm.com](mailto:jody@berkelawfirm.com)

Attorneys for Defendants City of Phoenix,  
McGowan, Solace, Long, Steele, Camarillo,  
Roberts, Johnson, Wells, Maxwell, McElvain,  
Diponzio, Bundy, Latham, Bisacchi, and  
Joseph

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

Matthew Paul Witter,

Plaintiff,

vs.

City of Phoenix, a body politic of the State  
of Arizona; Detective Christine McGowan,  
#6940 and Spouse McGowan, husband and  
wife; Detective Michael Solace, #5527 and  
Spouse Solace, husband and wife;  
Detective Michael D. Long, #6627 and  
Spouse Long, husband and wife; Officer  
William Steele, #9287 and Spouse Steele,  
husband and wife; Officer Abraham  
Camarillo, #8793 and Spouse Camarillo,  
husband and wife; Officer Kale Roberts,  
#9321 and Spouse Roberts, husband and  
wife; Officer Randy Johnson, #9203 and  
Spouse Johnson, husband and wife; Officer  
William Wells, #9301 and Spouse Wells,  
husband and wife; Officer John Maxwell,  
#8683 and Spouse Maxwell, husband and  
wife; Officer Brent McElvain, #9066 and

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Case No. 2:11-cv-\_\_\_\_\_

**NOTICE OF REMOVAL**

1 Spouse McElvain, husband and wife; )  
 2 Sergeant Nicholas Diponzio, #6494 and )  
 3 Spouse Diponzio, husband and wife; )  
 4 Officer Brent Bundy, #5563 and Spouse )  
 5 Bundy, husband and wife; Officer Daniel )  
 6 Latham, #7064 and Spouse Latham, )  
 7 husband and wife; Officer Todd Bisacchi, )  
 8 #8939 and Spouse Bisacchi, husband and )  
 9 wife; Officer Jude Joseph, #9194 and )  
 10 Spouse Joseph, husband and wife; John )  
 11 Does and Jane Does I-X and Does )  
 12 Individual/Entities I-X, )  
 13 )  
 14 Defendants. )  
 15 \_\_\_\_\_ )  
 16 )

17 Defendants City of Phoenix, Detective Christine McGowan, Detective Michael  
 18 Solace, Detective Michael Long, Officer William Steele, Officer Abraham Camarillo,  
 19 Officer Kale Roberts, Officer Randy Johnson, Officer William Wells, Officer John  
 20 Maxwell, Officer Brent McElvain, Sergeant Nicholas Diponzio, Officer Brent Bundy,  
 21 Officer Daniel Latham, Officer Todd Bisacchi, and Officer Jude Joseph (“Defendants”),  
 22 through undersigned counsel, file this Notice of Removal of Civil Action in the above-  
 23 captioned case. Pursuant to 28 U.S.C. §§1441(a) and 1446, and Rule 3.7 of the Local Rules  
 24 of Civil Procedure, Defendants hereby remove this action from the Superior Court of the  
 25 State of Arizona, in and for the County of Maricopa, to the United States District Court, in  
 26 and for the District of Arizona, and hereby respectfully submit the following statement of  
 27 the grounds for removal:  
 28

1. On or about January 14, 2011, Plaintiff Matthew Paul Witter commenced this  
 action against Defendants in the Superior Court of the State of Arizona, in and for the  
 County of Maricopa, as Cause No. CV 2011-091104.

1           2.       Defendants Todd Bisacchi and William Steele were served with the Summons  
2 and Complaint by Plaintiff on May 12, 2011. Defendants City of Phoenix, Nicholas  
3 DiPonzio, Jude Joseph, and Brent McElvain were served with the Summons and Complaint  
4 by Plaintiff on May 13, 2011. Defendants Abraham Camarillo, Randy Johnson, and Kale  
5 Roberts were served with the Summons and Complaint by Plaintiff on May 14, 2011.  
6 Defendants John Maxwell and William Wells were served with the Summons and  
7 Complaint by Plaintiff on May 15, 2011. Defendants Brent Bundy, Daniel Latham,  
8 Michael Long, and Christine McGowan were served with the Summons and Complaint by  
9 Plaintiff on May 16, 2011. Defendant Michael Solace was served with the Summons and  
10 Complaint by Plaintiff on May 19, 2011.

13           3.       The Complaint is a civil action alleging violations of Plaintiff's civil rights  
14 under 42 U.S.C. §1983 against Defendants and pendent state law claims.

16           4.       This is a civil action over which this Court has original jurisdiction pursuant  
17 to 28 U.S.C. §1331. The action is removable to this Court pursuant to 28 U.S.C. §1441  
18 because the Complaint arises under the Constitution and laws of the United States.

19           5.       Defendants have filed a Notice of Filing Notice of Removal with the Clerk of  
20 the Superior Court of the State of Arizona, in and for the County of Maricopa.

22           6.       A copy of the documents filed in Maricopa County Superior Court are  
23 attached hereto as Exhibit 1.

24           7.       A Civil Cover Sheet and Supplemental Cover Sheet are also attached hereto.

26       ...

27       ...

1 DATED this 1<sup>st</sup> day of June, 2011.

2 BERKE LAW FIRM, PLLC

3  
4 By s/ Jody C. Corbett

5 Lori V. Berke

6 Jody C. Corbett

7 Attorneys for City of Phoenix, McGowan,  
8 Solace, Long, Steele, Camarillo, Roberts,  
9 Johnson, Wells, Maxwell, McElvain,  
10 Diponzio, Bundy, Latham, Bisacchi, and  
11 Joseph

12 **CERTIFICATE OF SERVICE**

13 I hereby certify that on June 1, 2011, I electronically transmitted the attached document to  
14 the Clerk's Office using the CM/ECF System for filing. I further certify that on June 2,  
15 2011, I served the attached document by mail on the following:

16 Keith M. Knowlton  
17 KEITH M. KNOWLTON, L.L.C.  
18 9920 S. Rural Road, Suite 108  
19 PMB#132  
20 Tempe, Arizona 85284-4100  
21 Attorneys for Plaintiff

22 s/ Jody C. Corbett

# EXHIBIT 1

MICHAEL K. JEANES  
Clerk of the Superior Court  
By Susan Hack, Deputy

Date 01/14/2011 Time 14:12:27

Description	Amount
CASE# CV2011-091104	
CIVIL NEW COMPLAINT	301.00
TOTAL AMOUNT	301.00
Receipt# 21083721	

1 Keith M. Knowlton, Esq. - SBN 011565  
2 KEITH M. KNOWLTON, L.L.C.  
3 9920 S. Rural Road, Ste. 108  
4 PMB #132  
5 Tempe, Arizona 85284-4100  
6 Phone: (480) 755-1777  
7 Fax: (480) 471-8956  
8 keithknowlton@msn.com  
9 *Attorneys for Plaintiff*

10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

11 **IN AND FOR COUNTY OF MARICOPA**

12 MATTHEW PAUL WITTER,

13 Plaintiff,

14 vs.

15 CITY OF PHOENIX, a body politic of the State  
16 of Arizona; Detective Christine McGowan,  
17 #6940 and Spouse McGowan, husband and wife;  
18 Detective Michael Solace, #5527 and Spouse  
19 Solace, husband and wife; Detective Michael D.  
20 Long, #6627 and Spouse Long, husband and  
21 wife; Officer William Steele, #9287 and Spouse  
22 Steele, husband and wife; Officer Abraham  
23 Camarillo, #8793 and Spouse Camarillo,  
24 husband and wife; Officer Kale Roberts, #9321  
25 and Spouse Roberts, husband and wife; Officer  
26 Randy Johnson, #9203 and Spouse Johnson,  
27 husband and wife; Officer William Wells, #9301  
28 and Spouse Wells, husband and wife; Officer  
John Maxwell, #8683 and Spouse Maxwell,  
husband and wife; Officer Brent McElvain,  
#9066 and Spouse McElvain, husband and wife;  
Sergeant Nicholas Diponzio, #6494 and Spouse  
Diponzio, husband and wife; Officer Brent  
Bundy, #5563 and Spouse Bundy, husband and  
wife; Officer Daniel Latham, #7064 and Spouse  
Latham, husband and wife; Officer Todd  
Bisacchi, #8939 and Spouse Bisacchi, husband  
and wife; Officer Jude Joseph, #9194 and Spouse  
Joseph, husband and wife; JOHN DOES AND  
JANE DOES I-X and DOES INDIVIDUAL/  
ENTITIES I-X,

Defendants.

CV2011--091104

**COMPLAINT**

**(JURY TRIAL DEMANDED)**

1 Plaintiff Matthew Paul Witter, for his Complaint against all Defendants  
2 alleges as follows:

3 **PARTIES**

4 1. Plaintiff, Matthew Paul Witter, (referred to as either "Matt" or  
5 "Witter") is an adult resident of the State of Arizona and at all times relevant to the  
6 complaint resided within the County of Maricopa.

7 2. Defendant CITY OF PHOENIX is a municipality existing under the  
8 laws of the State of Arizona.

9 3. Defendants Detective Christine McGowan, #6940, Detective Michael  
10 Solace, #5527, Detective Michael D. Long, #6627, Officer William Steele, #9287,  
11 Officer Abraham Camarillo, #8793, Officer Kale Roberts, #9321, Officer Randy  
12 Johnson, #9203, Officer William Wells, #9301, Officer John Maxwell, #8683,  
13 Officer Brent McElvain, #9066, Sergeant Nicholas Diponzio, #6494, Officer Brent  
14 Bundy, #5563, Officer Daniel Latham, #7064, Officer Todd Bisacchi, #8939 and  
15 Officer Jude Joseph, #9194 (referred to collectively as "Police Officer  
16 Defendants") are sworn law enforcement officer/agent of Defendant CITY OF  
17 PHOENIX.

18 4. Defendant SPOUSE is a fictitiously named Defendant for each of the  
19 Police Officer Defendants spouses, whose true identity will be supplemented when  
20 known.

21 5. During all relevant times hereto, the Police Officer Defendants and  
22 each fictitiously names SPOUSE Defendant were husband and wife, and the Police  
23 Officer Defendants were acting for the benefit of the marital community.

24 6. The fictitiously named Defendants in the caption to the Complaint are  
25 individuals and entities who, on information and belief, committed acts or  
26 omissions or caused events to occur that resulted in injury or damage to Mr.  
27  
28

1 Witter. Once the identities of these Defendants are discovered, this Complaint  
2 shall be amended accordingly.

3 7. All named Defendants are interrelated and are jointly and severally  
4 liable.

5 **JURISDICTION AND VENUE**

6 8. Defendants and each of them caused events to occur in Maricopa  
7 County out of which this Complaint arises or residents of Maricopa County.

8 9. Pursuant to A.R.S. §12-821.01, a Notice of Claim was timely filed  
9 with each Defendant and more than ninety (90) days has taken place since filing.

10 10. Plaintiff has fully complied with the requirements of A.R.S. §12-  
11 821.01 to bring this action against a government entity and/or its employees.

12 11. This action is further bring brought pursuant to 42 U.S.C. §1983 to  
13 remedy Defendants violation of Plaintiff's constitutional rights under the Fourth,  
14 and Fourteenth Amendments to the United States Constitution for excessive force.

15 12. Upon information and belief, the City of Phoenix is Respondeat  
16 Superior liable (only on common law claims and not 42 U.S.C. §1983 Civil Rights  
17 Claims) for the acts of the Defendant law enforcement officers/agents. Further,  
18 upon information and belief, the City of Phoenix has agreed to indemnify the  
19 Police Officer Defendants.

20 13. Upon information and belief, each and every Police Officer Defendant  
21 aided and abetted each other and therefore is liable for the consequences of the  
22 others conduct. In the event the Police Officer Defendants acted outside the scope  
23 and course of employment (only on common law claims and not 42 U.S.C. §1983  
24 Civil Rights Claims) Plaintiff is entitled to Punitive Damages. Plaintiff is entitled  
25 to punitive damages under 42 U.S.C. § 1983.  
26

27 **JURY DEMAND**

28 14. Plaintiff demands a trial by jury for all issues so triable.



**FACTUAL ALLEGATIONS**

15. On January 18, 2010, Witter was arrested after fleeing law enforcement in a vehicle. In the process, the Police Officer Defendants were angered because they believed Witter drove the car directly at Phoenix Police Officer John Backus, #9565 and Phoenix Police Officer Jude Joseph, #9194.

16. Witter entered into a plea agreement regarding the criminal charges in CR2010-103355-001 arising out of this event.

17. Witter was being followed by a helicopter. Upon information and belief Officer Brent Bundy, #5563 and Officer Daniel Latham, #7064 were in the helicopter and upon information and belief, videotaped the event. In any event they witnessed what happened.

18. Witter got out of the car and attempted to flee on foot. He was ordered to stop and lay on the ground with his hands behind his back. Witter complied with the commands.

19. Witter knew he could not escape.

20. Officers ran up and handcuffed him immediately as he lay on the ground with his hand behind his back.

21. Officers then began to punch him in the face and body. He was handcuffed and not resisting in any way. He was hit so many times in the face that both his eyes were blackened and swollen shut, his nose was bloodied and lip split open. He was kicked in the ribs and received bruising.

22. The Police Officer Defendants were either involved in the arrest and hit, kicked and punched Witter after he was under control and handcuffed or witnessed and failed to stop the event and/or report the event to command.

23. Upon information and belief the Officers did this to punish Witter for driving the car at the two Police Officers.

**COUNT ONE**  
**GROSS NEGLIGENCE/NEGLIGENCE**

24. The allegations set forth above are fully incorporated herein by this reference.

25. Defendants had a duty, not to use excessive force on Plaintiff in making the arrest and taking him into custody. .

26. Defendants were grossly negligent and/or negligent in the force used in taking Plaintiff into custody in light of his injuries and the fact that he was not resisting.

27. Each police officer involved had a duty to assure that excessive force was not use and to stop other police officers from using excessive force.

28. Defendants are responsible for all damage done as a result of their breach of this duty.

29. Upon information and belief, the force used on Plaintiff was retaliatory and designed to punish Plaintiff.

30. Defendants grossly breached constitutional and other duties owed to Plaintiff as Police Officers, which breach was the actual and proximate cause of Plaintiff's injuries, including being tasered.

31. Upon information and belief, Defendant City of Phoenix was grossly negligent and/or negligent in the hiring and/or training and/or supervision of the Police Officer Defendants. Had the City of Phoenix been careful in the hiring, training and/or supervision of the Police Officer Defendants, they would not have acted in such a careless and negligent fashion in using unnecessary and excessive force upon Plaintiff in taking him into custody.

32. As a result of Defendants' actions alleged above, Plaintiff suffered damages, endured mental and emotional distress and was arrested and detained, all in an amount to be determined at trial.

1           33. Defendants' actions proximately caused Plaintiff damages as specified  
2 above in an amount to be proven at trial.

3                                   **COUNT TWO**  
4                                   **EXCESSIVE FORCE**

5           34. The allegations set forth above are fully incorporated herein by this  
6 reference.

7           35. Defendants, and each of them, individually or through their agents  
8 and/or employees used force on Plaintiff that was not reasonable or justified under  
9 the circumstances.

10          36. A reasonable officer under the same circumstances would not have  
11 used the force that was used by the Police officer Defendants.

12          37. Upon Information and Belief, the excessive use of force, as set forth  
13 above in the Factual Statement, was intentionally done to cause Plaintiff to endure  
14 a harmful and offensive touching.

15          38. Defendants' actions actually and proximately caused damage to  
16 Plaintiff in an amount to be proven at trial.

17                                   **COUNT THREE**  
18                                   **VIOLATION OF CIVIL RIGHTS**

19          39. The allegations set forth above are fully incorporated herein by this  
20 reference.

21          40. In committing the above referenced actions and/or omissions, the  
22 Police Officer Defendants, and each of them, acted under color of state law, and  
23 engaged in conduct that was the proximate cause of a violation of Plaintiff's rights  
24 under the Fourth and Fourteenth Amendments to the Constitution of the United  
25 States of America, including but not limited to his right not to experience excessive  
26 from law enforcement when the detain and seize.  
27  
28

1           41. The force used by the Police Officer Defendants in taking Witter into  
2 custody was not reasonable or justified under the circumstances. An objective  
3 reasonable police officer under the same circumstances would not have used the  
4 force that was used by the Defendant Police Officers and would not have used  
5 force after the suspect was handcuffed and compliant.

6           42. Upon information and belief, it is alleged that Defendant City of  
7 Phoenix maintain policies, practices, procedures, and customs that are deliberately  
8 indifferent to and/or have failed to properly train its law enforcement officers  
9 regarding excessive and retaliatory use of force in taking an individual into custody  
10 and that such a policy, practice, procedure or custom and/or training was the  
11 proximate cause of a violation of Plaintiff's rights under the Fourth and Fourteenth  
12 Amendments to the Constitution of the United States of America.

13           43. Further, the City of Phoenix has ratified the actions of the Police  
14 Officer Defendants. Upon information and belief, the City of Phoenix and/or the  
15 City of Phoenix Police Department through its Chief of Police conducted an  
16 internal affairs investigation into Plaintiff's allegations and came out in support of  
17 the acts of The Police Officer Defendants.

18           44. As a result of the Defendants' actions alleged above, and in violation  
19 of Plaintiff's rights under Federal and State law, Plaintiff suffered damages,  
20 endured mental and emotional distress, and was seized and detained wrongfully, all  
21 in an amount to be determined at trial.

22           45. Plaintiff is entitled to bring this cause of action against the Defendants  
23 pursuant to 42 U.S.C. § 1983.

24           46. Plaintiff is entitled to recover his attorneys' fees incurred in this  
25 matter pursuant to 42 U.S.C. § 1988(b).

26           **WHEREFORE**, Plaintiff, having fully pled his claims against  
27 Defendants, respectfully requests that this Court enter Judgment in favor of  
28

1 Plaintiff and against these Defendants, individually, jointly and severally, and  
2 against their respective marital communities, if any, as follows:

3  
4 1. Awarding Plaintiff all allowable actual damages resulting from  
5 Defendants' unlawful acts and omissions;

6  
7 2. Awarding punitive and exemplary damages in an amount sufficient to  
8 deter these Defendants or other similarly situated from engaging in the  
9 aforementioned conduct.

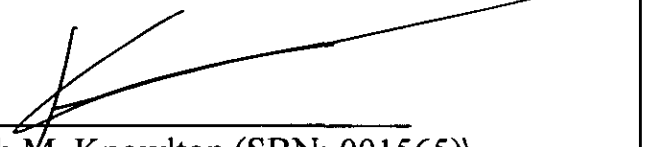
10  
11 3. For compensatory damages, including but not limited to emotional  
12 distress, all in an amount to be determined at the time of trial;

13  
14 4. For attorneys' fees and costs;

15 5. And to grant such other and further relief as the Court feels is just  
16 under the circumstances.

17  
18 **RESPECTFULLY SUBMITTED** this 14th day of January, 2011.

19  
20 **KEITH M. KNOWLTON, L.L.C.**

21  
22  
23 By:   
24 Keith M. Knowlton (SBN: 001565)\

MICHAEL K. JEANES, CLERK  
BY *S Hack* DEF.  
FILED

11 JAN 14 PM 2:42

Keith M. Knowlton, Attorney  
9920 S. Rural Rd., Ste. 108  
PMB #132  
Tempe, AZ 85284-4100  
(480) 755-1777  
Attorney for Plaintiff  
Keith M. Knowlton – SBN 011565

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR MARICOPA COUNTY

MATTHEW PAUL WITTER,

Plaintiff,

vs.

CITY OF PHOENIX, a body politic of the  
State of Arizona; Detective Christine  
McGowan, #6940 and Spouse McGowan,  
husband and wife; Detective Michael Solace,  
#5527 and Spouse Solace, husband and wife;  
Detective Michael D. Long, #6627 and Spouse  
Long, husband and wife; Officer William  
Steele, #9287 and Spouse Steele, husband and  
wife; Officer Abraham Camarillo, #8793 and  
Spouse Camarillo, husband and wife; Officer  
Kale Roberts, #9321 and Spouse Roberts,  
husband and wife; Officer Randy Johnson,  
#9203 and Spouse Johnson, husband and wife;  
Officer William Wells, #9301 and Spouse  
Wells, husband and wife; Officer John  
Maxwell, #8683 and Spouse Maxwell,  
husband and wife; Officer Brent McElvain,  
#9066 and Spouse McElvain, husband and  
wife; Sergeant Nicholas Diponzio, #6494 and  
Spouse Diponzio, husband and wife; Officer  
Brent Bundy, #5563 and Spouse Bundy,  
husband and wife; Officer Daniel Latham,  
#7064 and Spouse Latham, husband and wife;  
Officer Todd Bisacchi, #8939 and Spouse  
Bisacchi, husband and wife; Officer Jude  
Joseph, #9194 and Spouse Joseph, husband  
and wife; JOHN DOES AND JANE DOES I-  
X and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

CV2011-091104

CERTIFICATE OF COMPULSORY  
ARBITRATION

The undersigned certifies that he or she knows the dollar limits and any other limitations  
set forth by the local rules of practice for the applicable superior court, and further certifies that

1 this case is not subject to compulsory arbitration, as provided by Rules 72 through 76 of the  
2 Arizona Rules of Civil Procedure.

3 DATED this 17<sup>th</sup> day of January, 2011.

4 KEITH M. KNOWLTON, L.L.C.

5  
6 By 

7 Keith Knowlton, SBN 011565  
8 Attorney for Plaintiff  
9  
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Office Distribution

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

**\*\*FILED\*\***

4/20/2011

Clerk of the Court

4/16/2011

COURT ADMINISTRATION

Ct. Admin  
Deputy

**Case Number:** CV2011-091104

**Matthew Paul Witter**

**V.**

**City Of Phoenix**

---

The Judge assigned to this action is the Honorable John R Ditsworth

NOTICE OF INTENT TO DISMISS FOR LACK OF SERVICE

You are hereby notified that the complaint filed on 1/14/2011 is subject to dismissal pursuant to Rule 4 (i), Arizona Rules of Civil Procedure. The deadline for completing service is 5/16/2011. If no judge has extended time for completing service and no defendants have been served by this date, this case will be dismissed.



Superior Court of Maricopa County - integrated Court Information System  
**Endorsee Party Listing**

Case Number: CV2011-091104

Party Name	Attorney Name	
Matthew Paul Witter	Keith M Knowlton	Bar ID: 011565

**ORIGINAL**

MICHAEL K. JEANES, CLERK  
BY *S. Szatkacs* DEP

FILED

11 MAY 11

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA**

**MATTHEW PAUL WITTER,**

**Petitioner/Plaintiff,**

**Vs.**

**OFF. MICHAEL LONG, #6627.**

**A Phoenix Police Officer, et al.**

**Respondent/Defendant,**

**Case No. CV2011-091104**

**CERTIFICATE OF SERVICE**

C/O Micheal Long, #6627.

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.


**SUMMONS and COMPLAINT.  
CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: Lisa Muller, On May 16, 2011, 8:50 AM  
At: 620 West Washington, Phoenix, AZ., By hand in person at Police Station.  
Lisa is of age and discretion and works for the City of Phoenix Police Department.  
I called Michael and told me to give papers to Lisa Muller, who he works with.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-16-11 upon Off. Lisa Muller.

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$40.00

MICHAEL A. JEANES, CLERK  
BY *Michael A. Jeanes* DEP

FILED

11 MAY 16 AM 9:21

**ORIGINAL**

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA**

<b>MATTHEW PAUL WITTER,</b>	)	<b>Case No. CV2011-091104</b>
	)	
<b>Petitioner/Plaintiff,</b>	)	<b>CERTIFICATE OF SERVICE</b>
	)	
<b>Vs.</b>	)	
	)	
<b>OFF. JOHN MAXWELL, #8683.</b>	)	
<b>A Phoenix Police Officer, et al.</b>	)	
<b>Respondent/Defendant,</b>	)	

C/O John Maxwell, #8683.

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

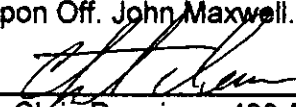
**SUMMONS and COMPLAINT.  
CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: John Maxwell, On May 15, 2011, 6:15 AM  
At: 6180 West Encanto., Phoenix, AZ., By hand in person at Police Station.  
John is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-15-11 upon Off. John Maxwell.

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$50.00

**ORIGINAL**

MICHAEL R. JEANES, CLERK  
BY *W. De La Cruz* DEP

FILED

11 MAY 16 AM 9:22

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA**

**MATTHEW PAUL WITTER,**

**Petitioner/Plaintiff,**

**Vs.**

**OFF. ABRAHAM CAMARILLO, #8793.**

**A Phoenix Police Officer, et al.**

**Respondent/Defendant,**

**Case No. CV2011-091104**

**CERTIFICATE OF SERVICE**

C/O Abraham Camarillo, #9287.

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

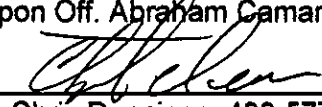
**SUMMONS and COMPLAINT.  
CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: Abraham Camarillo, On May 14, 2011, 9:30 PM  
At: 2111 South 99 Ave. Phoenix, AZ., By hand in person at Police Station.  
Abraham is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-14-11 upon Off. Abraham Camarillo.

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$50.00

**ORIGINAL**

MICHAEL A. JEANES, CLERK  
BY *M. De La Cruz* DEP

FILED

11 MAY 16 AM 9:22

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA**

<b>MATTHEW PAUL WITTER,</b>	)	<b>Case No. CV2011-091104</b>
	)	
<b>Petitioner/Plaintiff,</b>	)	<b>CERTIFICATE OF SERVICE</b>
	)	
<b>Vs.</b>	)	
	)	
<b>OFFICER BRENT McELVAIN, #8683.</b>	)	
<b>A Phoenix Police Officer, et al.</b>	)	
<b>Respondent/Defendant,</b>	)	

C/O Brent McElvain, #9066.

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

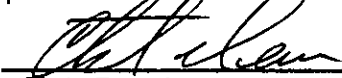
**SUMMONS and COMPLAINT.  
CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: Brent McElvain, On May 13, 2011, 9:30 PM  
At: 6180 West Encanto, Phoenix, AZ., By hand in person at Police Station.  
Brent is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-13-11 upon Off. Brent McElvain.

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$50.00

**ORIGINAL**

MICHAEL R. JEANES, CLERK  
BY *m. De La Cruz* DEP

FILED

11 MAY 16 AM 9:22

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA**

**MATTHEW PAUL WITTER,**

**Petitioner/Plaintiff,**

**Vs.**

**OFFICER RANDY JOHNSON, #9203.**

**A Phoenix Police Officer, et al.**

**Respondent/Defendant,**

**Case No. CV2011-091104**

**CERTIFICATE OF SERVICE**

C/O Randy Johnson, #9203.

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

**SUMMONS and COMPLAINT.  
CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.


Service was made upon: Randy Johnson, On May 14, 2011, 1:30 PM

At: 6180 West Encanto, Phoenix, AZ., By hand in person at Police Station.

Randy is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-14-11 upon Off. Randy Johnson.

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee: \$50.00

ORIGINAL

MICHAEL R. JEANES, CLERK  
BY *M. De La Cruz* DEP

FILED

11 MAY 16 AM 9:22

IN THE SUPRIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA

MATTHEW PAUL WITTER,	)	Case No. CV2011-091104
	)	
Petitioner/Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
Vs.	)	
	)	
OFFICER TODD BISACCHI, #8939.	)	
A Phoenix Police Officer, et al.	)	
Respondent/Defendant,	)	

C/O Todd Bisacchi, #8932

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

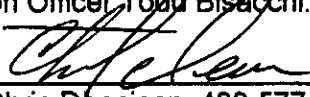
**SUMMONS and COMPLAINT.**  
**CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: Todd Bisacchi, On May 12, 2011, 8:30 PM  
At: 6180 West Encanto., Phoenix, AZ., By hand in person at Police Station.  
Todd is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersighned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-12-11 upon Officer Todd Bisacchi.

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$50.00

**ORIGINAL**

MICHAEL A. JEANES, CLERK  
BY *m. De La Cruz* DEP

FILED

11 MAY 16 AM 9:22

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA**

**MATTHEW PAUL WITTER,**

**Petitioner/Plaintiff,**

**Vs.**

**OFFICER JUDE JOSEPH, #9194.**

**A Phoenix Police Officer, et al.**

**Respondent/Defendant,**

**Case No. CV2011-091104**

**CERTIFICATE OF SERVICE**

C/O Jude Joseph, #9194.

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

**SUMMONS and COMPLAINT.  
CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.


Service was made upon: Jude Joseph, On May 13 2011, 8:30 PM

At: 2111 South 99<sup>th</sup> Ave., Phoenix, AZ., By hand in person at Police Station.

Jude is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-13-11 upon Off. Jude Joseph

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$50.00



**ORIGINAL**

MICHAEL R. JEANES, CLERK  
BY *M. De La Cruz* DEP

FILED

11 MAY 16 AM 9:22

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA**

**MATTHEW PAUL WITTER,**

**Case No. CV2011-091104**

**Petitioner/Plaintiff,**

**CERTIFICATE OF SERVICE**

**Vs.**

**OFFICER KALE ROBERTS, #9321.**

**A Phoenix Police Officer, et al.**

**Respondent/Defendant,**

**C/O Kale Roberts, #93214**

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

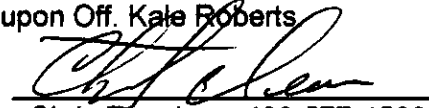
**SUMMONS and COMPLAINT.  
CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: Kale Roberts, On May 14, 2011, 5:30 AM  
At: 17010 South 48<sup>th</sup> St., Phoenix, AZ., By hand in person at Police Station.  
Kale is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-14-11 upon Off. Kale Roberts

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$50.00

ORIGINAL

MICHAEL A. JEANES, CLERK  
BY *n. De La Cruz* DEP

FILED

11 MAY 16 AM 9:22

IN THE SUPRIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA

MATTHEW PAUL WITTER,

Petitioner/Plaintiff,

Vs.

SERGEANT NIC DIPONZIO, #6494.

A Phoenix Police Officer, et al.

Respondent/Defendant,

Case No. CV2011-091104

CERTIFICATE OF SERVICE

C/O Nicholas Diponzio, #6494

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

**SUMMONS and COMPLAINT.**  
**CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: Nicholas Diponzio, On May 13, 2011, 2:30 PM  
At: 400 West Southern Ave., Phoenix, AZ., By hand in person at Police Station.  
Nicholas is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-13-11 upon Sgt. Nicholas Diponzio.

  
Chris Dennison, 480-577-4509

P.S. #7050

Service Fee; \$50.00

ORIGINAL

MICHAEL K. JEANES, CLERK  
BY *De La Cruz* DEP

FILED

11 MAY 16 AM 9:22

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA

MATTHEW PAUL WITTER,	)	Case No. CV2011-091104
	)	
Petitioner/Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
Vs.	)	
	)	
OFFICER WILLIAM STEELE, #9287.	)	
A Phoenix Police Officer, et al.	)	
Respondent/Defendant,	)	

C/O William Steele, #9287

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

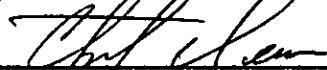
**SUMMONS and COMPLAINT.**  
**CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: William Steele, On May 12, 2011, 8:00 PM  
At: 2111 S 99<sup>th</sup> Ave., Phoenix, AZ., By hand in person at Police Station.  
William is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-12-11 upon Officer William Steele.

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$50.00

ORIGINAL

MICHAEL R. JEANES, CLERK  
BY *W. De La Cruz* DEP

FILED

11 MAY 16 AM 9:22

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA

MATTHEW PAUL WITTER,	)	Case No. CV2011-091104
	)	
Petitioner/Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
Vs.	)	
	)	
CITY OF PHOENIX, State of Arizona.	)	
et al.	)	
Respondent/Defendant,	)	

C/O City of Phoenix, Legal City Clerk.

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

**SUMMONS and COMPLAINT.**  
**CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: Richard St. George, On May 13, 2011, 12:43 PM  
At: 200 West Washington #15 Fl, Phoenix, AZ., By hand in person at City Office.  
Richard is of age and discretion and works for City of Phoenix, (Legal Clerk).  
Richard is of age and discretion, and Works for the City of Phoenix.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-13-11 upon Richard St. George.

*Chris Dennison*  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$50.00

ORIGINAL

MICHAEL A. JEANES, CLERK  
BY *Mr. De La Cruz*  
DEP

FILED

11 MAY 16 AM 9:22

IN THE SUPRIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA

MATTHEW PAUL WITTER,	)	Case No. CV2011-091104
	)	
Petitioner/Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
Vs.	)	
	)	
OFFICER WILLIAM WELLS, #9301.	)	
A Phoenix Police Officer, et al.	)	
Respondent/Defendant,	)	

C/O William Wells, #9301.

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

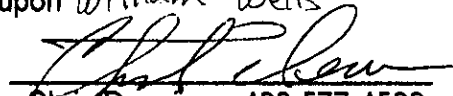
**SUMMONS and COMPLAINT.**  
**CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: William Wells, On May 15, 2011, 8:30 PAM  
At: 12220 North 39<sup>th</sup> Ave., Phoenix, AZ., By hand in person at Police Station.  
William is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-15-11 upon *William Wells*

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$50.00

Keith M. Knowlton, Attorney  
 9920 S. Rural Rd., Ste. 108  
 PMB #132  
 Tempe, AZ 85284-4100  
 (480) 755-1777  
 Attorney for Plaintiff  
 Keith M. Knowlton – SBN 011565

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
**IN AND FOR MARICOPA COUNTY**

MATTHEW PAUL WITTER,

Plaintiff,

vs.

CITY OF PHOENIX, a body politic of the  
 State of Arizona; Detective Christine  
 McGowan, #6940 and Spouse McGowen,  
 husband and wife; Detective Michael Solace,  
 #5527 and Spouse Solace, husband and wife;  
 Detective Michael D. Long, #6627 and Spouse  
 Long, husband and wife; Officer William  
 Steele, #9287 and Spouse Steele, husband and  
 wife; Officer Abraham Camarillo, #8793 and  
 Spouse Camarillo, husband and wife; Officer  
 Kale Roberts, #9321 and Spouse Roberts,  
 husband and wife; Officer Randy Johnson,  
 #9203 and Spouse Johnson, husband and wife;  
 Officer William Wells, #9301 and Spouse  
 Wells, husband and wife; Officer John  
 Maxwell, #8683 and Spouse Maxwell,  
 husband and wife; Officer Brent McElvain,  
 #9066 and Spouse McElvain, husband and  
 wife; Sergeant Nicholas Diponzio, #6494 and  
 Spouse Diponzio, husband and wife; Officer  
 Brent Bundy, #5563 and Spouse Bundy,  
 husband and wife; Officer Daniel Latham,  
 #7064 and Spouse Latham, husband and wife;  
 Officer Todd Bisacchi, #8939 and Spouse  
 Bisacchi, husband and wife; Officer Jude  
 Joseph, #9194 and Spouse Joseph, husband  
 and wife; JOHN DOES AND JANE DOES I-  
 X and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

**Case No: CV 2011-091104**

**MOTION FOR EXTENSION OF TIME  
 TO SERVE DEFENDANT PHOENIX  
 POLICE OFFICER SOLACE AND  
 SPOUSE SOLACE**

1 Plaintiff, through counsel undersigned, respectfully requests the Court extend the  
2 deadline for Plaintiff to serve Defendant Officer Solace and Spouse Solace for an additional 10  
3 days from May 16, 2011. Plaintiff has served all Defendants but Officer Solace and Spouse  
4 Solace. Defendant Solace is on vacation and will not be back at the precinct until May 17, 2011.  
5 The deadline to complete service is May 16, 2011. Plaintiff's process server will attempt service  
6 again on the 17<sup>th</sup> of May.

7 WHEREFORE, for the reasons set forth above, Plaintiff requests the Court extend  
8 the deadline for service of the Complaint from May 16, 2011 to May 26, 2011.

9 RESPECTFULLY SUBMITTED this 16th day of May, 2011.

10 KEITH M. KNOWLTON, L.L.C.

11 /s/ Keith Knowlton

12 By \_\_\_\_\_  
13 Keith Knowlton, SBN 011565  
14 Attorney for Plaintiff  
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MICHAEL A. JEANES, CLERK  
BY *M. C. La Cruz* DEP

FILED

11 MAY '16 AM 9:27

KEITH M. KNOWLTON, L.L.C.  
9920 S. Rural Road, Suite 108  
PMB# 132  
Tempe, Arizona 85284-4100  
(480) 755-1777  
FAX (480) 471-8956  
Attorney for Plaintiff  
Keith M. Knowlton - SBN 011565

ORIGINAL

## IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

## IN AND FOR THE COUNTY OF MARICOPA

MATTHEW PAUL WITTER,

CV 2011-091104

Plaintiff,

vs.

CITY OF PHOENIX, a body politic of the State  
of Arizona; Detective Christine McGowan, #6940  
and Spouse McGowan, husband and wife;  
Detective Michael Solace, #5527 and Spouse  
Solace, husband and wife; Detective Michael D.  
Long, #6627 and Spouse Long, husband and  
wife; Officer William Steele, #9287 and Spouse  
Steele, husband and wife; Officer Abraham  
Camarillo, #8793 and Spouse Camarillo, husband  
and wife; Officer Kale Roberts, #9321 and  
Spouse Roberts, husband and wife; Officer Randy  
Johnson, #9203 and Spouse Johnson, husband  
and wife; Officer William Wells, #9301 and  
Spouse Wells, husband and wife; Officer John  
Maxwell, #8683 and Spouse Maxwell, husband  
and wife; Officer Brent McElvain, #9066 and  
Spouse McElvain, husband and wife; Sergeant  
Nicholas Diponzio, #6494 and Spouse Diponzio,  
husband and wife; Officer Brent Bundy, #5563  
and Spouse Bundy, husband and wife; Officer  
Daniel Latham, #7064 and Spouse Latham,  
husband and wife; Officer Todd Bisacchi, #8939  
and Spouse Bisacchi, husband and wife; Officer  
Jude Joseph, #9194 and Spouse Joseph, husband  
and wife; JOHN DOES AND JANE DOES I-X  
and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

## SUMMONS

If you would like legal advice from a lawyer,  
contact the Lawyer Referral Service at

602-257-4434

or

[www.lawyerfinders.org](http://www.lawyerfinders.org)

Sponsored by the  
Maricopa County Bar Association



1 TO: **Officer Todd Bisacchi, #8939 and Spouse Bisacchi,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

4 85284-4100 an answer to the complaint which is herewith served upon you, within 20 days after

5 service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by

6 default will be taken against you for the relief demanded in the complaint. You must also file your

7 answer with the Clerk of this Court within a reasonable period of time after service.

8 **MICHAEL K. JEANES, CLERK**

**MAY 12 2011**

9  
10 CLERK

DATE

*J. Folts*  
J. FOLTS

11 (BY) DEPUTY CLERK



MICHAEL R. JEANES, CLERK  
BY *Michael R. Jeanes* DEP

FILED

11 MAY 16 AM 9:28

1 KEITH M. KNOWLTON, L.L.C.  
 2 9920 S. Rural Road, Suite 108  
 3 PMB# 132  
 4 Tempe, Arizona 85284-4100  
 5 (480) 755-1777  
 6 FAX (480) 471-8956  
 7 Attorney for Plaintiff  
 8 **Keith M. Knowlton - SBN 011565**

**ORIGINAL**

## IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

## IN AND FOR THE COUNTY OF MARICOPA

MATTHEW PAUL WITTER,

CV 2011-091104

Plaintiff,

vs.

12 CITY OF PHOENIX, a body politic of the State  
 13 of Arizona; Detective Christine McGowan, #6940  
 14 and Spouse McGowan, husband and wife;  
 15 Detective Michael Solace, #5527 and Spouse  
 16 Solace, husband and wife; Detective Michael D.  
 17 Long, #6627 and Spouse Long, husband and  
 18 wife; Officer William Steele, #9287 and Spouse  
 19 Steele, husband and wife; Officer Abraham  
 20 Camarillo, #8793 and Spouse Camarillo, husband  
 21 and wife; Officer Kale Roberts, #9321 and  
 22 Spouse Roberts, husband and wife; Officer Randy  
 23 Johnson, #9203 and Spouse Johnson, husband  
 24 and wife; Officer William Wells, #9301 and  
 25 Spouse Wells, husband and wife; Officer John  
 26 Maxwell, #8683 and Spouse Maxwell, husband  
 and wife; Officer Brent McElvain, #9066 and  
 Spouse McElvain, husband and wife; Sergeant  
 Nicholas Diponzio, #6494 and Spouse Diponzio,  
 husband and wife; Officer Brent Bundy, #5563  
 and Spouse Bundy, husband and wife; Officer  
 Daniel Latham, #7064 and Spouse Latham,  
 husband and wife; Officer Todd Bisacchi, #8939  
 and Spouse Bisacchi, husband and wife; Officer  
 Jude Joseph, #9194 and Spouse Joseph, husband  
 and wife; JOHN DOES AND JANE DOES I-X  
 and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

**SUMMONS**

If you would like legal advice from a lawyer,  
 contact the Lawyer Referral Service at

602-257-4434

or

[www.lawyerfinders.org](http://www.lawyerfinders.org)Sponsored by the  
Maricopa County Bar Association

1 TO: **Officer Abraham Camarillo, #8793 and Spouse Camarillo,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

4 85284-4100 an answer to the complaint which is herewith served upon you, within 20 days after

5 service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by

6 default will be taken against you for the relief demanded in the complaint. You must also file your

7 answer with the Clerk of this Court within a reasonable period of time after service.

8 **MAY 12 2011**

*[Handwritten signature]*

9 \_\_\_\_\_  
10 CLERK

DATE

11 (BY) DEPUTY CLERK



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**N. DELACRUZ**  
**DEPUTY CLERK**

MICHAEL K. JEANES, CLERK  
BY *Michael K. Jeanes* DEP

FILED

11 MAY 16 AM 9:27

KEITH M. KNOWLTON, L.L.C.  
9920 S. Rural Road, Suite 108  
PMB# 132  
Tempe, Arizona 85284-4100  
(480) 755-1777  
FAX (480) 471-8956  
Attorney for Plaintiff  
Keith M. Knowlton - SBN 011565

ORIGINAL

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

MATTHEW PAUL WITTER,

CV 2011-091104

Plaintiff,

vs.

CITY OF PHOENIX, a body politic of the State  
of Arizona; Detective Christine McGowan, #6940  
and Spouse McGowan, husband and wife;  
Detective Michael Solace, #5527 and Spouse  
Solace, husband and wife; Detective Michael D.  
Long, #6627 and Spouse Long, husband and  
wife; Officer William Steele, #9287 and Spouse  
Steele, husband and wife; Officer Abraham  
Camarillo, #8793 and Spouse Camarillo, husband  
and wife; Officer Kale Roberts, #9321 and  
Spouse Roberts, husband and wife; Officer Randy  
Johnson, #9203 and Spouse Johnson, husband  
and wife; Officer William Wells, #9301 and  
Spouse Wells, husband and wife; Officer John  
Maxwell, #8683 and Spouse Maxwell, husband  
and wife; Officer Brent McElvain, #9066 and  
Spouse McElvain, husband and wife; Sergeant  
Nicholas Diponzio, #6494 and Spouse Diponzio,  
husband and wife; Officer Brent Bundy, #5563  
and Spouse Bundy, husband and wife; Officer  
Daniel Latham, #7064 and Spouse Latham,  
husband and wife; Officer Todd Bisacchi, #8939  
and Spouse Bisacchi, husband and wife; Officer  
Jude Joseph, #9194 and Spouse Joseph, husband  
and wife; JOHN DOES AND JANE DOES I-X  
and DOES INDIVIDUAL/ ENTITIES I-X,

SUMMONS

Defendants.

If you would like legal advice from a lawyer,  
contact the Lawyer Referral Service at

602-257-4434

or

[www.lawyerfinders.org](http://www.lawyerfinders.org).

Sponsored by the  
Maricopa County Bar Association

1 TO: **CITY OF PHOENIX,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

4 85284-4100 an answer to the complaint which is herewith served upon you, within 20 days after

5 service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by

6 default will be taken against you for the relief demanded in the complaint. You must also file your

7 answer with the Clerk of this Court within a reasonable period of time after service.

8 **MICHAEL K. JEANES, CLERK**

9 CLERK

DATE

MAY 12 2011

10  **J. FOLTS**

11 (BY) DEPUTY CLERK



MICHAEL A. JEANES, CLERK  
BY *W. De La Cruz* DEP

FILED

11 MAY 16 AM 9:28

1 KEITH M. KNOWLTON, L.L.C.  
 2 9920 S. Rural Road, Suite 108  
 3 PMB# 132  
 4 Tempe, Arizona 85284-4100  
 5 (480) 755-1777  
 6 FAX (480) 471-8956  
 7 Attorney for Plaintiff  
 8 **Keith M. Knowlton - SBN 011565**

**ORIGINAL**

## IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

## IN AND FOR THE COUNTY OF MARICOPA

MATTHEW PAUL WITTER,

CV 2011-091104

Plaintiff,

vs.

12 CITY OF PHOENIX, a body politic of the State  
 13 of Arizona; Detective Christine McGowan, #6940  
 14 and Spouse McGowan, husband and wife;  
 15 Detective Michael Solace, #5527 and Spouse  
 16 Solace, husband and wife; Detective Michael D.  
 17 Long, #6627 and Spouse Long, husband and  
 18 wife; Officer William Steele, #9287 and Spouse  
 19 Steele, husband and wife; Officer Abraham  
 20 Camarillo, #8793 and Spouse Camarillo, husband  
 21 and wife; Officer Kale Roberts, #9321 and  
 22 Spouse Roberts, husband and wife; Officer Randy  
 23 Johnson, #9203 and Spouse Johnson, husband  
 24 and wife; Officer William Wells, #9301 and  
 25 Spouse Wells, husband and wife; Officer John  
 26 Maxwell, #8683 and Spouse Maxwell, husband  
 and wife; Officer Brent McElvain, #9066 and  
 Spouse McElvain, husband and wife; Sergeant  
 Nicholas Diponzio, #6494 and Spouse Diponzio,  
 husband and wife; Officer Brent Bundy, #5563  
 and Spouse Bundy, husband and wife; Officer  
 Daniel Latham, #7064 and Spouse Latham,  
 husband and wife; Officer Todd Bisacchi, #8939  
 and Spouse Bisacchi, husband and wife; Officer  
 Jude Joseph, #9194 and Spouse Joseph, husband  
 and wife; JOHN DOES AND JANE DOES I-X  
 and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

**SUMMONS**

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 contact the Lawyer Referral Service at

**602-257-4434**

or

**[www.lawyerfinders.org](http://www.lawyerfinders.org)**

Sponsored by the  
 Maricopa County Bar Association

1 TO: **Officer Randy Johnson, #9203 and Spouse Johnson,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

4 85284-4100 an answer to the complaint which is herewith served upon you, within 20 days after

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6 default will be taken against you for the relief demanded in the complaint. You must also file your

7 answer with the Clerk of this Court within a reasonable period of time after service.

8  
9 CLERK



Handwritten signature of N. Delacruz.

N. DELACRUZ  
DEPUTY CLERK

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11 (BY) DEPUTY CLERK  
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MICHAEL A. JEANES, CLERK  
BY *W. De La Cruz* DEP

FILED

11 MAY '16 AM 9:28

1 KEITH M. KNOWLTON, L.L.C.  
2 9920 S. Rural Road, Suite 108  
3 PMB# 132  
4 Tempe, Arizona 85284-4100  
5 (480) 755-1777  
6 FAX (480) 471-8956  
7 Attorney for Plaintiff  
8 **Keith M. Knowlton - SBN 011565**

**ORIGINAL**

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

8 MATTHEW PAUL WITTER,

CV 2011-091104

9 Plaintiff,

10 vs.

11 CITY OF PHOENIX, a body politic of the State  
12 of Arizona; Detective Christine McGowan, #6940  
13 and Spouse McGowan, husband and wife;  
14 Detective Michael Solace, #5527 and Spouse  
15 Solace, husband and wife; Detective Michael D.  
16 Long, #6627 and Spouse Long, husband and  
17 wife; Officer William Steele, #9287 and Spouse  
18 Steele, husband and wife; Officer Abraham  
19 Camarillo, #8793 and Spouse Camarillo, husband  
20 and wife; Officer Kale Roberts, #9321 and  
21 Spouse Roberts, husband and wife; Officer Randy  
22 Johnson, #9203 and Spouse Johnson, husband  
23 and wife; Officer William Wells, #9301 and  
24 Spouse Wells, husband and wife; Officer John  
25 Maxwell, #8683 and Spouse Maxwell, husband  
26 and wife; Officer Brent McElvain, #9066 and  
Spouse McElvain, husband and wife; Sergeant  
Nicholas Diponzio, #6494 and Spouse Diponzio,  
husband and wife; Officer Brent Bundy, #5563  
and Spouse Bundy, husband and wife; Officer  
Daniel Latham, #7064 and Spouse Latham,  
husband and wife; Officer Todd Bisacchi, #8939  
and Spouse Bisacchi, husband and wife; Officer  
Jude Joseph, #9194 and Spouse Joseph, husband  
and wife; JOHN DOES AND JANE DOES I-X  
and DOES INDIVIDUAL/ ENTITIES I-X,

SUMMONS

Defendants.

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602-257-4434

or

[www.lawyerfinders.org](http://www.lawyerfinders.org).

Sponsored by the  
MARICOPA COUNTY BAR Association



1 TO: **Officer Jude Joseph, #9194 and Spouse Joseph,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

4 85284-4100 an answer to the complaint which is herewith served upon you, within 20 days after

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6 default will be taken against you for the relief demanded in the complaint. You must also file your

7 answer with the Clerk of this Court within a reasonable period of time after service.

8 **MICHAEL K. JEANES, CLERK**

**MAY 12 2011**

9 \_\_\_\_\_  
10 CLERK

\_\_\_\_\_  
DATE

11 \_\_\_\_\_  
12 (BY) DEPUTY CLERK

**J. FOLTS**



MICHAEL N. JEANES, CLERK  
BY *W. De La Cruz* DEP

FILED

11 MAY '16 AM 9:27

1 KEITH M. KNOWLTON, L.L.C.  
2 9920 S. Rural Road, Suite 108  
3 PMB# 132  
4 Tempe, Arizona 85284-4100  
5 (480) 755-1777  
6 FAX (480) 471-8956  
7 Attorney for Plaintiff  
8 Keith M. Knowlton - SBN 011565

ORIGINAL

6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

7 IN AND FOR THE COUNTY OF MARICOPA

8 MATTHEW PAUL WITTER,

) CV 2011-091104

9 Plaintiff,

10 vs.

11 CITY OF PHOENIX, a body politic of the State  
12 of Arizona; Detective Christine McGowan, #6940  
13 and Spouse McGowan, husband and wife;  
14 Detective Michael Solace, #5527 and Spouse  
15 Solace, husband and wife; Detective Michael D.  
16 Long, #6627 and Spouse Long, husband and  
17 wife; Officer William Steele, #9287 and Spouse  
18 Steele, husband and wife; Officer Abraham  
19 Camarillo, #8793 and Spouse Camarillo, husband  
20 and wife; Officer Kale Roberts, #9321 and  
21 Spouse Roberts, husband and wife; Officer Randy  
22 Johnson, #9203 and Spouse Johnson, husband  
23 and wife; Officer William Wells, #9301 and  
24 Spouse Wells, husband and wife; Officer John  
25 Maxwell, #8683 and Spouse Maxwell, husband  
26 and wife; Officer Brent McElvain, #9066 and  
Spouse McElvain, husband and wife; Sergeant  
Nicholas Diponzio, #6494 and Spouse Diponzio,  
husband and wife; Officer Brent Bundy, #5563  
and Spouse Bundy, husband and wife; Officer  
Daniel Latham, #7064 and Spouse Latham,  
husband and wife; Officer Todd Bisacchi, #8939  
and Spouse Bisacchi, husband and wife; Officer  
Jude Joseph, #9194 and Spouse Joseph, husband  
and wife; JOHN DOES AND JANE DOES I-X  
and DOES INDIVIDUAL/ ENTITIES I-X,

SUMMONS

Defendants.

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602-257-4434

or

[www.lawyerfinders.org](http://www.lawyerfinders.org).

Sponsored by the  
Maricopa County Bar Association

1 TO: **Officer John Maxwell, #8683 and Spouse Maxwell,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

4 85284-4100 an answer to the complaint which is herewith served upon you, within 20 days after

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8 **MAY 12 2011**

9 **MICHAEL K. JEANES, CLERK**

10 CLERK

DATE

11 **J. FOLTS**

12 (BY) DEPUTY CLERK



MICHAEL A. JEANES, CLERK  
BY *M. De La Cruz* DEP

FILED

11 MAY '16 AM 9:28

1 KEITH M. KNOWLTON, L.L.C.  
 2 9920 S. Rural Road, Suite 108  
 3 PMB# 132  
 4 Tempe, Arizona 85284-4100  
 5 (480) 755-1777  
 6 FAX (480) 471-8956  
 7 Attorney for Plaintiff  
 8 Keith M. Knowlton - SBN 011565

ORIGINAL

## IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

## IN AND FOR THE COUNTY OF MARICOPA

MATTHEW PAUL WITTER,

CV 2011-091104

Plaintiff,

vs.

12 CITY OF PHOENIX, a body politic of the State  
 13 of Arizona; Detective Christine McGowan, #6940  
 14 and Spouse McGowan, husband and wife;  
 15 Detective Michael Solace, #5527 and Spouse  
 16 Solace, husband and wife; Detective Michael D.  
 17 Long, #6627 and Spouse Long, husband and  
 18 wife; Officer William Steele, #9287 and Spouse  
 19 Steele, husband and wife; Officer Abraham  
 20 Camarillo, #8793 and Spouse Camarillo, husband  
 21 and wife; Officer Kale Roberts, #9321 and  
 22 Spouse Roberts, husband and wife; Officer Randy  
 23 Johnson, #9203 and Spouse Johnson, husband  
 24 and wife; Officer William Wells, #9301 and  
 25 Spouse Wells, husband and wife; Officer John  
 26 Maxwell, #8683 and Spouse Maxwell, husband  
 and wife; Officer Brent McElvain, #9066 and  
 Spouse McElvain, husband and wife; Sergeant  
 Nicholas Diponzio, #6494 and Spouse Diponzio,  
 husband and wife; Officer Brent Bundy, #5563  
 and Spouse Bundy, husband and wife; Officer  
 Daniel Latham, #7064 and Spouse Latham,  
 husband and wife; Officer Todd Bisacchi, #8939  
 and Spouse Bisacchi, husband and wife; Officer  
 Jude Joseph, #9194 and Spouse Joseph, husband  
 and wife; JOHN DOES AND JANE DOES I-X  
 and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

## SUMMONS

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 contact the Lawyer Referral Service at

602-257-4434

or

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Sponsored by the  
 Maricopa County Bar Association

1 TO: **Officer Brent McElvain, #9066 and Spouse McElvain,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

4 85284-4100 an answer to the complaint which is herewith served upon you, within 20 days after

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8  
9 **MICHAEL K. JEANES, CLERK**

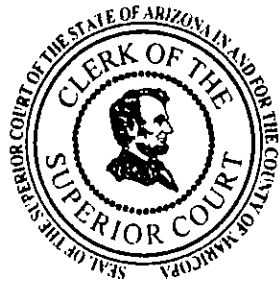
**MAY 12 2011**

10 CLERK

DATE

11  **J. FOLTS**

12 (BY) DEPUTY CLERK



MICHAEL K. JEANES, CLERK  
BY *S. Szakacs* DEP  
FILED

11 MAY 17 AM 8:05

1 KEITH M. KNOWLTON, L.L.C.  
2 9920 S. Rural Road, Suite 108  
3 PMB# 132  
4 Tempe, Arizona 85284-4100  
5 (480) 755-1777  
6 FAX (480) 471-8956  
7 Attorney for Plaintiff  
8 **Keith M. Knowlton - SBN 011565**

ORIGINAL

6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

7 IN AND FOR THE COUNTY OF MARICOPA

8 MATTHEW PAUL WITTER,

CV 2011-091104

9 Plaintiff,

10 vs.

11 CITY OF PHOENIX, a body politic of the State  
12 of Arizona; Detective Christine McGowan, #6940  
13 and Spouse McGowan, husband and wife;  
14 Detective Michael Solace, #5527 and Spouse  
15 Solace, husband and wife; Detective Michael D.  
16 Long, #6627 and Spouse Long, husband and  
17 wife; Officer William Steele, #9287 and Spouse  
18 Steele, husband and wife; Officer Abraham  
19 Camarillo, #8793 and Spouse Camarillo, husband  
20 and wife; Officer Kale Roberts, #9321 and  
21 Spouse Roberts, husband and wife; Officer Randy  
22 Johnson, #9203 and Spouse Johnson, husband  
23 and wife; Officer William Wells, #9301 and  
24 Spouse Wells, husband and wife; Officer John  
25 Maxwell, #8683 and Spouse Maxwell, husband  
26 and wife; Officer Brent McElvain, #9066 and  
Spouse McElvain, husband and wife; Sergeant  
Nicholas Diponzio, #6494 and Spouse Diponzio,  
husband and wife; Officer Brent Bundy, #5563  
and Spouse Bundy, husband and wife; Officer  
Daniel Latham, #7064 and Spouse Latham,  
husband and wife; Officer Todd Bisacchi, #8939  
and Spouse Bisacchi, husband and wife; Officer  
Jude Joseph, #9194 and Spouse Joseph, husband  
and wife; JOHN DOES AND JANE DOES I-X  
and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

SUMMONS

If you would like legal advice from a lawyer,  
contact the Lawyer Referral Service at

602-257-4434

or

[www.lawyerfinders.org](http://www.lawyerfinders.org)

Sponsored by the  
Maricopa County Bar Association

1 TO: **Detective Christine McGowan, #6940 and Spouse McGowen**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona  
4 85284-4100 an answer to the complaint which is herewith served upon you, within 20 days after  
5 service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by  
6 default will be taken against you for the relief demanded in the complaint. You must also file your  
7 answer with the Clerk of this Court within a reasonable period of time after service.

8 **MICHAEL K. JEANES, CLERK**

**MAY 12 2011**

9 CLERK

DATE

10 **J. FOLTS**

11 (BY) DEPUTY CLERK  
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11 MAY 16 AM 9:27

**ORIGINAL**

Defendants.



1 TO: **Officer Kale Roberts, #9321 and Spouse Roberts,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

4 85284-4100 an answer to the complaint which is herewith served upon you, within 20 days after

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6 default will be taken against you for the relief demanded in the complaint. You must also file your

7 answer with the Clerk of this Court within a reasonable period of time after service.

8 MAY 12 2011

9 CLERK

DATE

10 (BY) DEPUTY CLERK



11 N. DELACRUZ  
12 DEPUTY CLERK

MICHAEL A. JEANES, CLERK  
BY *m. De La Cruz* DEP

FILED

11 MAY 16 AM 9:28

**ORIGINAL**

1 KEITH M. KNOWLTON, L.L.C.  
 2 9920 S. Rural Road, Suite 108  
 3 PMB# 132  
 4 Tempe, Arizona 85284-4100  
 5 (480) 755-1777  
 6 FAX (480) 471-8956  
 7 Attorney for Plaintiff  
 8 **Keith M. Knowlton - SBN 011565**

## IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

## IN AND FOR THE COUNTY OF MARICOPA

MATTHEW PAUL WITTER,

CV 2011-091104

Plaintiff,

vs.

12 CITY OF PHOENIX, a body politic of the State  
 13 of Arizona; Detective Christine McGowan, #6940  
 14 and Spouse McGowan, husband and wife;  
 15 Detective Michael Solace, #5527 and Spouse  
 16 Solace, husband and wife; Detective Michael D.  
 17 Long, #6627 and Spouse Long, husband and  
 18 wife; Officer William Steele, #9287 and Spouse  
 19 Steele, husband and wife; Officer Abraham  
 20 Camarillo, #8793 and Spouse Camarillo, husband  
 21 and wife; Officer Kale Roberts, #9321 and  
 22 Spouse Roberts, husband and wife; Officer Randy  
 23 Johnson, #9203 and Spouse Johnson, husband  
 24 and wife; Officer William Wells, #9301 and  
 25 Spouse Wells, husband and wife; Officer John  
 26 Maxwell, #8683 and Spouse Maxwell, husband  
 and wife; Officer Brent McElvain, #9066 and  
 Spouse McElvain, husband and wife; Sergeant  
 Nicholas Diponzio, #6494 and Spouse Diponzio,  
 husband and wife; Officer Brent Bundy, #5563  
 and Spouse Bundy, husband and wife; Officer  
 Daniel Latham, #7064 and Spouse Latham,  
 husband and wife; Officer Todd Bisacchi, #8939  
 and Spouse Bisacchi, husband and wife; Officer  
 Jude Joseph, #9194 and Spouse Joseph, husband  
 and wife; JOHN DOES AND JANE DOES I-X  
 and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

**SUMMONS**

If you would like legal advice from a lawyer,  
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or

**[www.lawyerfinders.org](http://www.lawyerfinders.org)**

Sponsored by the  
 Maricopa County Bar Association

1 TO: **Officer William Steele, #9287 and Spouse Steele,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

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10 CLERK

DATE

MAY 18 2011

N. DELACRUZ  
DEPUTY CLERK



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MICHAEL A. JEANES, CLERK  
BY *m. De La Cruz* DEP

FILED

11 MAY 16 AM 9:28

1 KEITH M. KNOWLTON, L.L.C.  
 2 9920 S. Rural Road, Suite 108  
 3 PMB# 132  
 4 Tempe, Arizona 85284-4100  
 5 (480) 755-1777  
 6 FAX (480) 471-8956  
 7 Attorney for Plaintiff  
 8 **Keith M. Knowlton - SBN 011565**

ORIGINAL

## IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

## IN AND FOR THE COUNTY OF MARICOPA

MATTHEW PAUL WITTER,

CV 2011-091104

Plaintiff,

vs.

12 CITY OF PHOENIX, a body politic of the State  
 13 of Arizona; Detective Christine McGowan, #6940  
 14 and Spouse McGowan, husband and wife;  
 15 Detective Michael Solace, #5527 and Spouse  
 16 Solace, husband and wife; Detective Michael D.  
 17 Long, #6627 and Spouse Long, husband and  
 18 wife; Officer William Steele, #9287 and Spouse  
 19 Steele, husband and wife; Officer Abraham  
 20 Camarillo, #8793 and Spouse Camarillo, husband  
 21 and wife; Officer Kale Roberts, #9321 and  
 22 Spouse Roberts, husband and wife; Officer Randy  
 23 Johnson, #9203 and Spouse Johnson, husband  
 24 and wife; Officer William Wells, #9301 and  
 25 Spouse Wells, husband and wife; Officer John  
 26 Maxwell, #8683 and Spouse Maxwell, husband  
 and wife; Officer Brent McElvain, #9066 and  
 Spouse McElvain, husband and wife; Sergeant  
 Nicholas Diponzio, #6494 and Spouse Diponzio,  
 husband and wife; Officer Brent Bundy, #5563  
 and Spouse Bundy, husband and wife; Officer  
 Daniel Latham, #7064 and Spouse Latham,  
 husband and wife; Officer Todd Bisacchi, #8939  
 and Spouse Bisacchi, husband and wife; Officer  
 Jude Joseph, #9194 and Spouse Joseph, husband  
 and wife; JOHN DOES AND JANE DOES I-X  
 and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

## SUMMONS

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 contact the Lawyer Referral Service at

602-257-4434

or

[www.lawyerfinders.org](http://www.lawyerfinders.org)Sponsored by the  
Maricopa County Bar Association

1 TO: **Officer William Wells, #9301 and Spouse Wells,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

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8 **MICHAEL K. JEANES, CLERK**

**MAY 12 2011**

9 CLERK

DATE

10  J. FOLTS

11 (BY) DEPUTY CLERK



MICHAEL K. JEANES, CLERK  
BY *S. Szekacs* DEP  
FILED

11 MAY 17 AM 8:05

1 KEITH M. KNOWLTON, L.L.C.  
2 9920 S. Rural Road, Suite 108  
3 PMB# 132  
4 Tempe, Arizona 85284-4100  
5 (480) 755-1777  
6 FAX (480) 471-8956  
7 Attorney for Plaintiff  
8 Keith M. Knowlton - SBN 011565

**ORIGINAL**

6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

7 IN AND FOR THE COUNTY OF MARICOPA

8 MATTHEW PAUL WITTER,

CV 2011-091104

9 Plaintiff,

10 vs.

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12 of Arizona; Detective Christine McGowan, #6940  
13 and Spouse McGowan, husband and wife;  
14 Detective Michael Solace, #5527 and Spouse  
15 Solace, husband and wife; Detective Michael D.  
16 Long, #6627 and Spouse Long, husband and  
17 wife; Officer William Steele, #9287 and Spouse  
18 Steele, husband and wife; Officer Abraham  
19 Camarillo, #8793 and Spouse Camarillo, husband  
20 and wife; Officer Kale Roberts, #9321 and  
21 Spouse Roberts, husband and wife; Officer Randy  
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23 and wife; Officer William Wells, #9301 and  
24 Spouse Wells, husband and wife; Officer John  
25 Maxwell, #8683 and Spouse Maxwell, husband  
26 and wife; Officer Brent McElvain, #9066 and  
Spouse McElvain, husband and wife; Sergeant  
Nicholas Diponzio, #6494 and Spouse Diponzio,  
husband and wife; Officer Brent Bundy, #5563  
and Spouse Bundy, husband and wife; Officer  
Daniel Latham, #7064 and Spouse Latham,  
husband and wife; Officer Todd Bisacchi, #8939  
and Spouse Bisacchi, husband and wife; Officer  
Jude Joseph, #9194 and Spouse Joseph, husband  
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and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

**SUMMONS**

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or

[www.lawyerfinders.org](http://www.lawyerfinders.org).

Sponsored by the  
Maricopa County Bar Association

1 TO: **Detective Michael D. Long, #6627 and Spouse Long,**

2 **YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S

3 ATTORNEY Keith M. Knowlton, 9920 S. Rural Road, Suite 108, PMB# 132, Tempe, Arizona

4 85284-4100 an answer to the complaint which is herewith served upon you, within 20 days after

5 service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by

6 default will be taken against you for the relief demanded in the complaint. You must also file your

7 answer with the Clerk of this Court within a reasonable period of time after service.

8  
9 \_\_\_\_\_  
10 CLERK

DATE

MAY 18 2011

N. DELACRUZ  
DEPUTY CLERK



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**ORIGINAL**

MICHAEL K. JEANES, CLERK  
BY *S. Snakacs* DEP  
FILED

IN THE SUPRIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA

11 MAY 17 AM 8:05

MATTHEW PAUL WITTER,	)	Case No. CV2011-091104
	)	
Petitioner/Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
Vs.	)	
	)	
OFF. CHRISTINE McGOWEN , #6940.	)	
A Phoenix Police Officer, et al.	)	
Respondent/Defendant,	)	

C/O Christine McGowen, #6940.

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.


**SUMMONS and COMPLAINT.**  
**CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: Christine McGowan, On May 16, 2011, 9:00 AM  
At: 620 West Washington, Phoenix, AZ., By hand in person at Police Station.  
Christine is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersigned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-16-11 upon Off. Christine McGowan.

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$40.00



FILED

May 19, 2011 2:33 p.m.

MICHAEL K. JEANES, Clerk

By J. Polanco  
Deputy

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

MATTHEW PAUL WITTER,

Plaintiff,

vs.

CITY OF PHOENIX, a body politic of the State of Arizona; Detective Christine McGowan, #6940 and Spouse McGowan, husband and wife; Detective Michael Solace, #5527 and Spouse Solace, husband and wife; Detective Michael D. Long, #6627 and Spouse Long, husband and wife; Officer William Steele, #9287 and Spouse Steele, husband and wife; Officer Abraham Camarillo, #8793 and Spouse Camarillo, husband and wife; Officer Kale Roberts, #9321 and Spouse Roberts, husband and wife; Officer Randy Johnson, #9203 and Spouse Johnson, husband and wife; Officer William Wells, #9301 and Spouse Wells, husband and wife; Officer John Maxwell, #8683 and Spouse Maxwell, husband and wife; Officer Brent McElvain, #9066 and Spouse McElvain, husband and wife; Sergeant Nicholas Diponzio, #6494 and Spouse Diponzio, husband and wife; Officer Brent Bundy, #5563 and Spouse Bundy, husband and wife; Officer Daniel Latham, #7064 and Spouse Latham, husband and wife; Officer Todd Bisacchi, #8939 and Spouse Bisacchi, husband and wife; Officer Jude Joseph, #9194 and Spouse Joseph, husband and wife; JOHN DOES AND JANE DOES I-X and DOES INDIVIDUAL/ ENTITIES I-X,

Defendants.

Case No: CV 2011-091104

**ORDER EXTENDING THE TIME  
FOR PLAINTIFF TO SERVE  
OFFICER SOLACE AND SPOUSE  
SOLACE**

1 Plaintiff Matthew Witter, having filed a Motion for Extension of time to  
2 serve Defendant Phoenix Police Officer Solace and his Spouse, and good cause  
3 appearing therein,  
4

5 IT IS HEREBY ORDERED granting this motion and extending the  
6 deadline for Plaintiff to serve Officer Solace and his Spouse until May 30, 2011.  
7

8  
9 DATED: \_\_\_\_\_

5/18/11

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14 \_\_\_\_\_  
Maricopa County Superior Court Judge

15 JUDGE JOHN R. DITSWORTH  
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TO PROCESS AND SERVE, LLC  
P.O. BOX 13392  
SCOTTSDALE AZ. 85267

MICHAEL K. JEANES, CLERK  
RECEIVED NWR  
DOCUMENT DEPOSITORY

11 MAY 20 AM 4:21

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

FILED  
BY J. ORTIZ, DEPT

MATTHEW PAUL WITTER )

CV2011-091104

Plaintiff )

vs. )

BRENT BUNDY )

DECLARATION OF SERVICE BY  
PRIVATE PROCESS SERVER

Defendant )

---

**TYPES OF DOCUMENTS SERVED:**

SUMMONS; COMPLAINT; CERTIFICATE OF COMPULSORY ARBITRATION

**I PERSONALLY SERVED TRUE COPIES OF THE ABOVE LISTED DOCUMENTS ON THE PERSON/ENTITY LISTED BELOW:**

**PERSON/ENTITY:** BRENT BUNDY

**HOW:** SERVED PERSONALLY UPON KEITH POLITTE- DEFENDANT'S SUPERVISOR- PHOENIX POLICE DEPT  
ACTING AS DEFENDANT'S AGENT

**AT:** PHOENIX POLICE AIRSTATION- 102 E. DEER VALLEY, PHOENIX, AZ

**DATE:** 5/16/2011

**TIME:** 12:50 PM

THE UNDERSIGNED CERTIFIES UNDER PENALTY OF PERJURY THAT I AM FULLY QUALIFIED UNDER 4(d), 4(c), AND 45(b), TO SERVE PROCESS IN THIS ACTION WITHIN THE STATE OF ARIZONA; HAVING BEEN SO APPOINTED AND REGISTERED BY THE SUPERIOR COURT OF MARICOPA COUNTY, ARIZONA, AND THAT THE ABOVE IS TRUE AND ACCURATE.

DECLARANT

C JA

CAMERON JANATI  
ARIZONA PROCESS SERVICE LICENSE #7752  
TO PROCESS AND SERVE, LLC  
May 19, 2011

TO PROCESS AND SERVE, LLC  
P.O. BOX 13392  
SCOTTSDALE AZ. 85267

MICHAEL K. JEANES, CLERK  
RECEIVED NWR  
DOCUMENT DEPOSITORY

11 MAY 20 AM 4:21

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

FILED  
BY J. ORTIZ, DEP

MATTHEW PAUL WITTER

CV2011-091104

Plaintiff

vs.

DANIEL LATHAM

DECLARATION OF SERVICE BY  
PRIVATE PROCESS SERVER

Defendant

---

**TYPES OF DOCUMENTS SERVED:**

SUMMONS; COMPLAINT; CERTIFICATE OF COMPULSORY ARBITRATION

**I PERSONALLY SERVED TRUE COPIES OF THE ABOVE LISTED DOCUMENTS ON THE PERSON/ENTITY LISTED BELOW:**

**PERSON/ENTITY:** DANIEL LATHAM

**HOW:** SERVED PERSONALLY UPON KEITH POLITTE- DEFENDANT'S SUPERVISOR- PHOENIX POLICE DEPT  
ACTING AS DEFENDANT'S AGENT

**AT:** PHOENIX POLICE AIRSTATION- 102 E. DEER VALLEY, PHOENIX, AZ

**DATE:** 5/16/2011

**TIME:** 12:50 PM

THE UNDERSIGNED CERTIFIES UNDER PENALTY OF PERJURY THAT I AM FULLY QUALIFIED UNDER 4(d), 4(c), AND 45(b), TO SERVE PROCESS IN THIS ACTION WITHIN THE STATE OF ARIZONA; HAVING BEEN SO APPOINTED AND REGISTERED BY THE SUPERIOR COURT OF MARICOPA COUNTY, ARIZONA, AND THAT THE ABOVE IS TRUE AND ACCURATE.

DECLARANT



CAMERON JANATI  
ARIZONA PROCESS SERVICE LICENSE #7752  
TO PROCESS AND SERVE, LLC  
May 19, 2011

**ORIGINAL**

MICHAEL K. JEANES, CLERK  
BY *S. Inakacs* DEP  
FILED

IN THE SUPRIOR COURT OF THE STATE OF ARIZONA **11 MAY 20 AM 8:27**  
COUNTY OF MARICOPA

MATTHEW PAUL WITTER,	)	Case No. CV2011-091104
	)	
Petitioner/Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
Vs.	)	
	)	
DET. MICHAEL SOLACE, #5527.	)	
A Phoenix Police Officer, et al.	)	
Respondent/Defendant,	)	

C/O Detective Michael Solace, #5527.

Chris Dennison being fully qualified under ARCP (4)e to serve process within the State of Arizona and having been so appointed by Maricopa County Superior Court, did receive the following documents from : Kieth Knowlton, Esq. SBN 011565, (480) 755-1777.

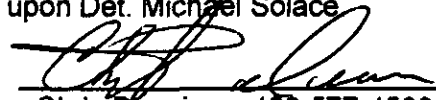
**SUMMONS and COMPLAINT.  
CERTIFICATE OF COMPULSORY ARBITRATION.**

In each instance I served a true copy of each document listed above on those named below in the manner and time and place shown below.

Service was made upon: Michael Solace, On May 19, 2011, 6:15 AM  
At: 620 West Washington St., Phoenix, AZ., By hand in person at Police Station.  
Michae is of age and discretion and works for the City of Phoenix Police Department.

I declare under penalty of perjury that the foregoing is true and correct

The undersighned being duly sworn, state, I am a registered officer of the Superior Court Of Arizona and duly approved as a Private Process Server, On 05-12-11, I received a true copy of each document above, I served the same on 05-19-11 upon Det. Michael Solace

  
Chris Dennison, 480-577-4509  
P.S. #7050

Service Fee; \$50.00

Lori V. Berke (#015628)  
**BERKE LAW FIRM, PLLC**  
1601 N. 7th Street, Suite 360  
Phoenix, Arizona 85006  
Telephone: (602) 254-8800  
Facsimile: (602) 265-8808  
lori@berkelawfirm.com

Attorneys for Defendant City of Phoenix

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

Matthew Paul Witter,

Plaintiff,

vs.

City of Phoenix, et al.,

Respondents.

**NO. CV2011-091104**

**NOTICE OF APPEARANCE**

(Assigned to the Hon. John Ditsworth)

Pursuant to Maricopa County Superior Court Local Rule of Practice 6.2(b), Lori V. Berke of Berke Law Firm PLLC provides notice of her appearance as counsel of record for Defendant City of Phoenix. Undersigned counsel's physical and e-mail address are as follows:

Berke Law Firm PLLC  
1601 N. 7th Street, Suite 360  
Phoenix, Arizona 85006  
lori@berkelawfirm.com

1 DATED this 31st day of May, 2011.

2 BERKE LAW FIRM, PLLC

3  
4 By s/Lori V. Berke

5 Lori V. Berke

6 1601 N. 7th Street, Suite 360

7 Phoenix, AZ 85006

8 Attorneys for Defendant City of  
Phoenix

9 ORIGINAL of the foregoing electronically  
10 filed with the Clerk of Court this 31st  
11 day of May, 2011, and a copy mailed  
this same date to:

12 Keith M. Knowlton

13 Keith M. Knowlton, L.L.C.

14 9920 South Rural Road, Suite 108

PMB# 132

15 Tempe, AZ 85284-4100

Attorney for *Plaintiff*

16  
17 s/Lori V. Berke

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

Matthew Paul Witter

(b) County of Residence of First Listed Plaintiff Maricopa  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Keith M. Knowlton (011565), KEITH M. KNOWLTON, LLC, 9920 S.  
Rural Rd, Ste 108, PMB #132, Tempe, AZ 85284, 480-755-1777

**DEFENDANTS**

City of Phoenix, Detective Christine McGowan, Detective Michael Solace, Detective Michael D. Long, et al.

County of Residence of First Listed Defendant Maricopa  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
LAND INVOLVED.

Attorneys (If Known)

Lori V. Berke (015628), BERKE LAW FIRM, PLLC, 1601 North  
7th St., Suite 360, Phoenix, AZ 85006, 602-254-8800

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights <b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
42 U.S.C. 1983

Brief description of cause:  
Violation of Civil Rights and Pendent State Law Claims

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

**DEMAND \$**

CHECK YES only if demanded in complaint:

**JURY DEMAND:** ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

06/01/2011

s/ Jody C. Corbett

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_



**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44****Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

**I. (a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

**II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

**III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

**IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

**V. Origin.** Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

**VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553  
Brief Description: Unauthorized reception of cable service

**VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

**VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

## SUPPLEMENTAL CIVIL COVER SHEET FOR CASES REMOVED FROM ANOTHER JURISDICTION

This form must be attached to the Civil Cover Sheet at the time the case is filed in the United States District Clerk's Office.

Additional sheets may be used as necessary.

---

**1. Style of the Case:**

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code).

<u><b>Party</b></u>	<u><b>Party Type</b></u>	<u><b>Attorney(s)</b></u>
<b>Matthew Paul Witter</b>	<b>Plaintiff</b>	Keith M. Knowlton (011565) Keith M. Knowlton, L.L.C. 9920 S. Rural Road, Suite 108 PMB#132 Tempe, Arizona 85284-4100 (480) 755-1777
<b>City of Phoenix</b>	<b>Defendant</b>	Lori V. Berke (015628) Jody C. Corbett (019718) BERKE LAW FIRM, PLLC 1601 North 7 <sup>th</sup> St., Suite 360 Phoenix, AZ 85006 602-254-8800
<b>Detective Christine McGowan</b>	<b>Defendant</b>	Lori V. Berke (015628) Jody C. Corbett (019718) BERKE LAW FIRM, PLLC 1601 North 7 <sup>th</sup> St., Suite 360 Phoenix, AZ 85006 602-254-8800
<b>Detective Michael Solace</b>	<b>Defendant</b>	Lori V. Berke (015628) Jody C. Corbett (019718) BERKE LAW FIRM, PLLC

1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Detective Michael D. Long**      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer William Steele**      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer Abraham Camarillo**      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer Kale Roberts**      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer Randy Johnson**      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer William Wells**      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer John Maxwell**      **Defendant**

Lori V. Berke (015628)

Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer Brent McElvain**                      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Sergeant Nicholas Diponzio**                      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer Brent Bundy**                      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer Daniel Latham**                      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer Todd Bisacchi**                      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**Officer Jude Joseph**                      **Defendant**

Lori V. Berke (015628)  
Jody C. Corbett (019718)  
BERKE LAW FIRM, PLLC  
1601 North 7<sup>th</sup> St., Suite 360  
Phoenix, AZ 85006  
602-254-8800

**2. Jury Demand:**Was a Jury Demand made in another jurisdiction? ☒ Yes ☐ No

If "Yes," by which party and on what date?

Plaintiff1/14/11**3. Answer:**Was an Answer made in another jurisdiction? ☐ Yes ☒ No

If "Yes," by which party and on what date?

**4. Served Parties:**

The following parties have been served at the time this case was removed:

<u>Party</u>	<u>Date Served</u>	<u>Method of Service</u>
City of Phoenix	May 13, 2011	Process Server
Detective Christine McGowan	May 16, 2011	Process Server
Detective Michael Solace	May 19, 2011	Process Server
Detective Michael D. Long	May 16, 2011	Service was Accepted by Co-worker
Officer William Steele	May 12, 2011	Process Server
Officer Abraham Camarillo	May 14, 2011	Process Server
Officer Kale Roberts	May 14, 2011	Process Server
Officer Randy Johnson	May 14, 2011	Process Server
Officer William Wells	May 15, 2011	Process Server
Officer John Maxwell	May 15, 2011	Process Server
Officer Brent McElvain	May 13, 2011	Process Server

Sergeant Nicholas Diponzio	May 13, 2011	Process Server
Officer Brent Bundy	May 16, 2011	Received Summons and Complaint through interoffice mail
Officer Daniel Latham	May 16, 2011	Received Summons and Complaint through interoffice mail
Officer Todd Bisacchi	May 12, 2011	Process Server
Officer Jude Joseph	May 13, 2011	Process Server

**5. Unserved Parties:**

The following parties have not been served at the time this case was removed:

**Party**

**Reason Not Served**

**6. Nonsuited, Dismissed or Terminated Parties**

Please indicate changes from the style of the papers from another jurisdiction and the reason for the change:

**Party**

**Reason for Change**

**7. Claims of the Parties:**

The filing party submits the following summary of the remaining claims of each party in this litigation:

**Party**

**Claim(s)**

Matthew Paul Witter

Gross Negligence/Negligence  
Excessive Force  
42 U.S.C. § 1983

**Pursuant to 28 USC § 1446(a) a copy of all process, pleadings, and orders served in another jurisdiction (State Court) shall be filed with this removal.**